

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GARY DALE BARGER,  
Plaintiff,

v.

BARNES, et al.,  
Defendants.

Case No. [15-cv-00029-WHO](#) (PR)

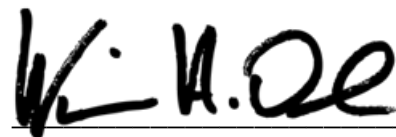
**ORDER OF DISMISSAL**

Plaintiff Gary Dale Barger has failed to comply with the Court's order to (1) file a complete application to proceed *in forma pauperis* ("IFP"), or (2) pay the full filing fee of \$400.00. His IFP application lacks two necessary documents: a Certificate of Funds completed and signed by an authorized prison officer, and a prison trust account statement showing transactions for the last six months. Accordingly, the action is DISMISSED without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, Barger may move to reopen the action. Any such motion must contain a complete IFP application, which includes the two documents mentioned above, or full payment for the \$400.00 filing fee.

His IFP application (Docket No. 3) is DENIED as insufficient. His motion regarding federal jurisdiction (Docket No. 4) is DENIED as moot. The Clerk shall terminate Docket Nos. 3 and 4, enter judgment in favor of defendants, and close the file.

**IT IS SO ORDERED.**

**Dated:** February 25, 2015

  
WILLIAM H. ORRICK  
United States District Judge